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May 26, 2021

Via: ECF

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

APPLICATION GRANTED
SO ORDERED



John G. Koeltl, U.S.D.J.

5/27/21

Re: *Nationwide Insurance Company & 59 South 4th, LLC v. United Specialty Ins. Co.*
Case No.: 1:21-cv-03904-JGK
Our File No.: 1008.36738

Dear Judge Koeltl:

We represent plaintiffs, Nationwide Insurance Company and 59 South 4th, LLC (hereinafter "Nationwide"), in this declaratory judgment action and submit this letter on behalf of Nationwide and defendant United Specialty Insurance Company ("United Specialty").

By letter dated May 19, 2021, the undersigned wrote to Your Honor asking that the Court schedule a pre-motion conference in connection with plaintiffs' proposed motion for summary judgment. The parties have briefed their respective positions regarding plaintiffs' proposed motion by their letters dated May 19, 2021, May 20, 2021 and May 21, 2021. The Court has graciously scheduled a conference for Tuesday, June 1, 2021, at 2:30pm.

By Docket Order (#7), the Court has directed that the parties submit a Rule 26(f) report by May 28, 2021. The parties seek a stay of filing a joint Rule 26(f) report pending the court's ruling on the issue of whether the plaintiffs can file a summary judgment motion without any discovery taking place in this action.

Thank you for your attention to this matter.

Respectfully submitted,

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